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6 | Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

12 SHELLEY R. ROBINSON; and
13 ELIZAVETA M. HUNSINGER, by and
through her Conservator IVAN J.
HUNSINGER

Case No. C 07-03258 SC

JOINT CASE MANAGEMENT STATEMENT

14 Plaintiffs.

15

16 DAIMLERCHRYSLER AG;
17 DAIMLERCHRYSLER MOTORS
18 COMPANY LLC; DAIMLERCHRYSLER
CORPORATION; and DOES ONE through
FIFTY, inclusive.

Date: January 25, 2008
Time: 10:00 a.m.
Courtroom: 1
Hon. Samuel Conti

19 Defendants.

21 Plaintiffs SHELLEY R. ROBINSON and ELIZAVETA M. HUNSINGER, by and
22 through her Conservator IVAN J. HUNSINGER, and defendants CHRYSLER MOTORS LLC
23 (formerly DAIMLERCHRYSLER MOTORS COMPANY LLC), and CHRYSLER LLC
24 (formerly DAIMLERCHRYSLER CORPORATION), jointly submit this case management
25 statement as follows:

1. Jurisdiction and Service: Subject matter jurisdiction in this case is under 28 U.S.C.
2 §1332. All named defendants have been served. Plaintiffs do not anticipate serving any other
3 defendants.

4 Daimler AG (formerly "DaimlerChrysler AG") contends that they are not subject to the
5 Court's jurisdiction in this case for lack of personal jurisdiction.

6
7 2. Facts: This lawsuit arises out of a single vehicle accident that occurred on May 25, 2005
8 on highway 93 in Twin Falls County, Idaho, when the 1998 Jeep Cherokee that Plaintiffs were
9 passengers in oversteered, yawed, and rolled over, causing severe and catastrophic injuries to
10 Plaintiffs, including quadriplegia to SHELLEY R. ROBINSON and quadriplegia and traumatic
11 brain injury to ELIZAVETA M. HUNSINGER.

12 At this time, without conducting discovery, defendants cannot state whether or not they
13 dispute this statement of the facts, and reserve the right to dispute them as investigation and
14 discovery continue.

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16 3. Legal Issues: Plaintiffs claim that the defendants are liable under California law for
17 negligence, strict liability, and breach of warranty, and that the subject vehicle was defective in
18 its handling and stability, roof strength, and glazing.

19 Defendants deny liability for the subject incident and dispute each of plaintiffs' alleged
20 theories of liability.

21
22 4. Motions: Defendant Daimler AG (formerly "DaimlerChrysler AG") filed a motion to
23 dismiss for lack of personal jurisdiction, which was denied without prejudice. Defendants
24 reserve the right to file a summary judgment motion.

1 5. Amendment of Pleadings: The parties do not anticipate any amendments to the
 2 pleadings.

3
 4 6. Evidence Preservation: The parties understand their obligations to preserve evidence.
 5 Plaintiffs have secured the subject vehicle salvage and it is currently located at a secure facility.

6
 7 7. Disclosures: The parties submitting this statement made initial disclosures on or before
 8 November 9, 2007. Defendants will produce confidential documents after the entry by the Court
 9 of a Stipulated Protective Order. Plaintiffs would like to address the subject of the protective
 10 order at the hearing.

11
 12 8. Discovery: Pursuant to Rule 26(f), the parties met and conferred on discovery issues and
 13 propose the following discovery plan and proposed revisions to discovery limits set forth by the
 14 FRCP.

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 16 A. SCHEDULE

<u>Plaintiffs' proposed discovery plan</u>	<u>completion date</u>
Close of nonexpert discovery	October 17, 2008
Expert disclosure by all parties	November 17, 2008
Disclosure of rebuttal experts	December 17, 2008
Close of expert discovery	February 13, 2009
Last day to file dispositive motions	February 27, 2009
Trial	May, 2009

	<u>Defendants' proposed discovery plan</u>	<u>completion date</u>
2	Close of nonexpert discovery	September 19, 2008
3	Expert disclosure by plaintiffs	October 10, 2008
4	Expert disclosure by defendants	November 11, 2008
5	Disclosure of rebuttal experts	December 12, 2008
6	Close of expert discovery	February 13, 2009
7	Last day to file dispositive motions	March 20, 2009
8	Trial date	July, 2009

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10 B. PROPOSED CHANGES IN FRCP 26(b) DISCOVERY

11 Given the complexity of Plaintiffs' allegations and causes of action in this multiple injury
 12 products liability matter, combined with the sheer volume of potential witnesses identified thus
 13 far, both Plaintiffs and Defendants propose to increase the limit of depositions for each side to
 14 twenty and the number of interrogatories for each side to fifty. Should the parties believe
 15 additional discovery is necessary beyond these limits, the parties will attempt to meet and confer
 16 first and reach a stipulation. Failing that, the party seeking additional discovery will seek Court
 17 relief.

18 Defendants also propose limits of 50 admission requests and 50 requests for production
 19 of documents. Plaintiffs propose no limits at this time, and do not waive their right to file a
 20 motion for protective order if necessary.

21 9. Class Actions: n/a

22
23 10. Related Cases: No related cases. The plaintiffs settled with the driver for the policy
 24 limits.
25

1 11. Relief: Plaintiffs are seeking monetary damages for their physical injuries, pain and
2 suffering, medical expenses, and loss of income. A full economic evaluation has not been
3 completed at this time.

4

5 12. Settlement and ADR: The parties submitted an ADR Stipulation on October 26, 2007,
6 agreeing to seek private mediation of the matter. The parties are not in agreement on the
7 deadline for the same.

8

9 13. Consent to Magistrate Judge for all Purposes: The parties do not consent to a magistrate
10 judge.

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12 14. Other References: This case is not suitable for reference to binding arbitration, a special
13 master, or multidistrict litigation.

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15 15. Narrowing of Issues: The parties have no suggestions at this time for narrowing issues.

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17 16. Expedited Schedule: This case is not suitable for being expedited.

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19 17. Scheduling: The proposed schedules are set forth above.

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21 18. Trial: The parties request a jury trial. Expected length is four to five weeks.

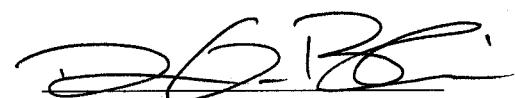
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23 19. Disclosure of Non-party Interested Entities or Persons: The parties are not aware of any
24 non-party interested entities or persons.

1 20. Other matters: None at this time.
2

3 Dated: January 17, 2008
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VAN BLOIS & ASSOCIATES



5
6 R. Lewis Van Blois
7 Thomas C. Knowles
8 Darren J. Van Blois,
9 Attorneys for Plaintiffs
10

11 Dated: January __, 2008
12

13 SEDGWICK, DETERT, MORAN & ARNOLD
14

15 Micki S. Singer
16 John Gherini,
17 Attorneys for Defendants CHRYSLER MOTORS
18 LLC (formerly DAIMLERCHRYSLER MOTORS
19 COMPANY LLC), and CHRYSLER LLC (formerly
20 DAIMLERCHRYSLER CORPORATION)
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1 20. Other matters: None at this time.

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3 Dated: January ___, 2008

VAN BLOIS & ASSOCIATES

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Dated: January 15, 2008

R. Lewis Van Blois
Thomas C. Knowles
Darren J. Van Blois,
Attorneys for Plaintiffs

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LLC (formerly DAIMLERCHRYSLER MOTORS
COMPANY LLC), and CHRYSLER LLC (formerly
DAIMLERCHRYSLER CORPORATION)